

CITY OF ROCKFORD

Steve J. Jazwiec, Mayor
Michael F. Young, City Manager

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November 30, 2011

Ms. Nuria Muniz, EPS/NPL Coordinator
United States Environmental Protection Agency Region 5
77 W Jackson Blvd
Chicago IL 60604-3590

Mr. Joseph Walczak, Senior Project Manager
Remediation Division
Michigan Department of Environmental Quality
PO Box 30473
Lansing MI 48909-7973

Dear Ms. Muniz and Mr. Walczak:

It was a pleasure talking to you and other representatives from the U.S. Environmental Protection Agency (EPA) on Tuesday, November 15, 2011. The following information will summarize our discussions and provide additional information related to the document entitled, *Summary of Concerns*, as submitted by Ms. Lynn McIntosh, Ms. Gail Mancewicz, and Mr. Grant Medich.

INTRODUCTION

As we discussed, the City of Rockford was intimately involved in the planning, pre-demolition, and demolition phases as part of the redevelopment of the Wolverine World Wide (WWW) tannery site in downtown Rockford. Throughout the petition, numerous claims were made regarding the City's involvement in the redevelopment process. This correspondence will address the concerns raised and provide a perspective on the responsiveness of WWW, the workmanship of the pre-demolition and demolition phases, and compliance to permit requirements that were issued by the City of Rockford.

CITY OF ROCKFORD PERMITTING PROCESS

The City of Rockford issued a Demolition Permit through the City Manager's office, as well as a permit through the City's contract building officials, Professional Code Inspection (PCI). The City also issued a Soil Erosion and Sedimentation Control Permit (SESC) prior to demolition, which was extended two (2) separate times during the process. We will address the City's involvement in soil erosion and sedimentation

control monitoring later in this letter. The City conducted daily inspections during the demolition and monitored air quality, noise, soil erosion and sedimentation control measures and stayed in constant communication with WWW and its contractors. This letter will confirm that WWW remained in compliance with all permits issued by the City of Rockford at all times.

ENVIRONMENTAL CONSULTANT

The City of Rockford engaged the services of Materials Testing Consultants (MTC), a well known and reputable environmental consulting firm in the Grand Rapids area. MTC assigned Mr. Chris Kesner to this project, who provided a variety of services for the City of Rockford. Mr. Kesner reviewed the pre-demolition survey that was conducted by WWW, the Health and Safety Plan, as well as provided review and consultation on the air monitoring data that was submitted to the City by WWW. Mr. Kesner provided consulting services to the City on an as needed basis.

The petitioners have suggested that there were no experienced environmental consultants involved in this project. In addition to Mr. Kesner, we communicated with Mr. Gene Gutting, environmental consultant for Pitsch Companies, with extensive experience and environmental training. As mentioned above, the City issued a separate Soil Erosion and Sedimentation Control Permit and the City of Rockford employs three (3) trained and certified Soil Erosion and Sedimentation Control Officers.

AIR QUALITY

The petitioner's state, "*some wetting and spraying of the buildings did occur...*" and suggest that no one was in charge of continuous implementation of the plan. The petition goes on to suggest that air testing and results were inadequate and were never produced directly to the citizens. To the contrary, WWW provided the City of Rockford with daily analytical data from the three (3) air monitoring stations. This information was sent by the City of Rockford directly to the residents. In many cases, the review of air monitoring data by Mr. Kesner accompanied the analytical data that was forwarded directly to the residents. The City of Rockford also required that significant wetting of the site occurred throughout the demolition process, and billed WWW for nearly 500,000 gallons of water that was used during the wetting process. At one point, we received a complaint from the petitioners that there was too much water being put on the site.

SOIL EROSION AND SEDIMENTATION CONTROL MONITORING

As mentioned earlier, the City of Rockford issued a standalone Soil Erosion and Sedimentation Control Permit, and provided daily inspection through our three (3) trained and certified inspectors. Adjustments to the Soil Erosion and Sedimentation Control measures were implemented by WWW at the direction of the City. Controls included three (3) rows of silt fence supported by straw bales to filter the storm water that did leave the site. There is no doubt that turbid water did leave the site during

some of the significant rains we experienced during the year, and that is not unusual. WWW contained as much of the storm water on site as they could and pumped the water into a large concrete tank for storage. We believe that WWW was responsive to the City of Rockford's request to modify soil erosion and sedimentation control measures as needed. WWW often contacted the City to review SESC measures during heavy rain events to gain our input. The Michigan Department of Environmental Quality (MDEQ) can confirm the numerous inspections that they conducted on the property, as a result of requests from the petitioners. We are only aware of one (1) incident where the MDEQ requested that corrective actions be taken. Upon notification, WWW promptly made the corrections, as requested by the Department.

CITIZEN INVOLVEMENT

The City believes strongly in engaging its residents and being responsive to their concerns. Shortly after it was announced that the tannery would be closing, the City held a public forum to gain input from the community. I also personally held numerous meetings with any resident requesting information or wanting to voice concerns on both an individual and group basis. Information was given directly to the residents, including air monitoring results, copies of any and all permits, results of the pre-demolition surveys, results of the Health and Safety Plan, and any information and correspondence that was ever requested by residents from the City.

The petitioners suggest throughout their summary that there was no pre-demolition work conducted and that the demolition occurred in an unplanned and haphazard manner. Being intimately involved in this process from its initiation, we present to the EPA and the Department that the City of Rockford was very involved in the process, conducted consistent monitoring of the demolition, monitored the air monitoring data, Fugitive Dust Plan, wetting of the site, and soil erosion and sedimentation control measures. Information was always shared with the residents at their request and in the end; I would state that the City of Rockford is very pleased with the demolition process and the communication we received from WWW and its consultants.

ADDITIONAL INFORMATION

Per our discussion, I have forwarded to you, the test results that were taken on the collected storm water, which was pumped into a large concrete clarifier as a means of controlling storm water runoff. WWW conducted this operation to minimize the surface water that left the site during the large rains we experienced this calendar year. Originally, WWW had contemplated discharging the collected storm water into the City of Rockford's sanitary sewer system for treatment by the North Kent Sewer Authority's clean water plant. Ultimately, WWW used the collected storm water for dust control due to the clean test results.

Also included with this letter are the most recent official laboratory reports of the water sampling done at the City of Rockford's water treatment plant, prior to our new ground water plant being constructed and going online in January of 2000. I have also included

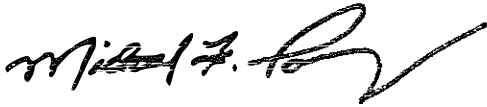
a map showing the proximity of our old water treatment plant that utilized the Rogue River as a public water supply and its downstream relationship to the WWW tannery complex. Finally, I have included a copy of the letter from the Rockford City Council to WWW CEO Blake Krueger expressing the Council's support of the tannery redevelopment to date.

Should you need any additional information, please do not hesitate to contact me and I will continue to provide you information that is helpful to the EPA and your review.

Thank you again for your time and I look forward to talking to you in the near future.

Sincerely,

CITY OF ROCKFORD

A handwritten signature in black ink, appearing to read "Michael F. Young", with a long, sweeping horizontal stroke extending to the right.

Michael F. Young
City Manager'

cc: Rockford City Council
David O'Donnell, Michigan Department of Environmental Quality